

United States District Court  
for the District of Massachusetts

Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Joseph Greene

Case Number: 18-CR-10468

Name of Sentencing Judicial Officer: Honorable Nathaniel M. Gorton, U.S. District Judge

Date of Original Sentence: June 15, 2020

Original Offense: Conspiracy to Distribute and to Possess with Intent to Distribute 100 Grams or More of Heroin, 400 Grams of More of Fentanyl, Cocaine, Cocaine Base, and Marijuana, in violation of 21 U.S.C. § 846, 21 U.S.C. §841(b)(1)(C)

Original Sentence: Time Served (26 days), followed by 36 months of supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: June 15, 2020

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PETITIONING THE COURT

- [ ] To extend the term of supervision for    years, for a total term of    years  
[ X ] To modify the conditions of supervision as follows:

The defendant must stay away from 11 Albert Ave in Brockton, MA

The defendant must not associate with Calvin Mendes.

CAUSE

Violation                          Nature of Noncompliance:

I

Violation of Standard Condition of Release: You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting permission of the probation officer.

On September 5, 2021, the U.S. Probation Office received information that Mr. Greene went to the home of Ms. Eunice Correia, the mother of Mr. Greene's co-defendant Calvin Mendes, looking for her son. It should be noted that Ms. Correia resides at 11 Albert Ave in Brockton, MA. During this interaction, Ms. Corria informed Mr. Greene that her son was not home, but facilitated a phone call between her son and Mr. Greene. It was additionally reported that Mr. Greene returned to Ms. Correia's home looking for Mr. Mendes again on September 6, 2021 and September 7, 2021. While Mr. Greene did not make specific threats towards Mr. Correia he presented in an intimidating manner. At this time no charges have been filed.

On September 10, 2021, the undersigned U.S. Probation Officer met with Mr. Greene to address the above referenced conduct. Mr. Greene admitted to going to Ms. Corriea's residence looking for Mr. Mendes

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and that he and Mr. Mendes had been in communication, in direct violation of Mr. Greene's conditions of release.

**II**

**Violation of Standard Condition of Release:** You must participate in a program for inpatient or outpatient substance abuse treatment as directed by the Probation Office, which program may include testing, not to exceed 50 drug tests per year to determine whether you have reverted to the use of alcohol or drugs.

- A. On the following dates, Mr. Greene failed to attend his scheduled drug testing in violation of the substance abuse treatment/testing program: 6/2/21; 7/16/21; 7/27/21; 8/31/21; and 9/2/21. It should be noted that all other drug tests completed within this timeframe, absent those listed in Violation II.B., have returned negative for the presence of illicit substances.
- B. On 8/20/21, Mr. Greene submitted a urine specimen for testing which returned positive for the presence of Marijuana. Mr. Greene admitted to the U.S. Probation Officer that he consumed Marijuana prior to his scheduled drug test.

In response to the above referenced violation conduct, the undersigned U.S. Probation Officer proposed a modification to Mr. Greene's conditions of release to include a stay away order from Ms. Corriea's residence, and a further prohibition from associating with Mr. Calvin Mendes. Mr. Greene agreed to this modification and a signed Waiver of Hearing to Modify Conditions of Supervised Release (Form 49) has been attached for the Court's review. Additionally, Mr. Greene's violations pertaining to his use of Marijuana will be addressed by his treatment provider. If Your Honor <sup>UR</sup>concerns with this course of action, it is respectfully requested that Your Honor indicate so in the space provided below.

Reviewed/Approved by:

/s/ Christopher Foster  
Christopher Foster  
Supervisory U.S. Probation Officer

Respectfully submitted,

/s/ Taylor Wertz  
by Taylor Wertz  
U.S. Probation Officer  
Date: 9/13/2021

**THE COURT ORDERS**

- [ ] No Action
- [ ] The Extension of Supervision as Noted Above
- The Modification of Conditions as Noted Above
- [ ] Other

*Nathaniel M. Gorton*  
Honorable Nathaniel M. Gorton,  
U.S. District Judge  
*09/16/2021*  
Date

PROB 49  
(3/89)

## United States District Court

For the District of Massachusetts

### **Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision**

I, Joseph Greene, Dkt No 0101 1:18CR10468-009, have been advised and understand that I do not have to agree to this proposed modification(s). I have been advised and understand that instead of signing this form today, I can consult with an attorney and report back to the Probation Office within 48 hours as to how I would like to proceed.

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

**The defendant must stay away from 11 Albert Ave in Brockton, MA.**

**The defendant must not associate with Calvin Mendes.**

Witness Taylor West, USPO  
(U.S. Probation Officer)

Signed   
(Probationer or Supervised Releasee)

9/10/21  
Click here to enter a date.  
(Date)